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Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

Note by the Secretariat

Attached herewith is the report of the chairpersons of the human rights treaty bodies on their fifteenth meeting, held at Geneva from 23 to 27 June 2003. At the request of the chairpersons, the report of the second inter-committee meeting of human rights treaty bodies is annexed to that report.

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Report of the Chairpersons of the human rights treaty bodies on their fifteenth meeting

Summary

The fifteenth meeting of chairpersons of human rights treaty bodies was convened in Geneva from 23 to 27 June 2003, pursuant to General Assembly resolution 49/178 of 23 December 1994. The chairpersons considered follow-up to the recommendations of the fourteenth meeting and reviewed recent developments relating to the work of the treaty bodies. They were given an update on the status of the Annual Appeal of the Office of the United Nations High Commissioner for Human Rights and on the programme to strengthen support to and enhance the effectiveness of the treaty bodies. The chairpersons met with representatives of non-governmental organizations, the specialized agencies and United Nations departments, funds and programmes, with representatives of States parties and with members of the Bureau, including the Chairperson, of the Commission on Human Rights. The fifth joint meeting was held with the participants of the tenth meeting of special rapporteurs/representatives, independent experts and chairpersons of working groups of the special procedures of the Commission on Human Rights and of the advisory services programme. The chairpersons adopted recommendations, which are contained in section X of the present report. The report of the second inter-committee meeting of human rights treaty bodies (Geneva, 18-20 June 2003), which was considered by the chairpersons, appears in annex I to the present report.

In paragraph 8 of its resolution 57/300 of 20 December 2002, the General Assembly encouraged States parties to the human rights treaties and the respective treaty bodies to review the reporting procedures with a view to developing a more coordinated approach and to streamlining the reporting requirements under the treaties and requested the United Nations High Commissioner for Human Rights to support that exercise, including through the submission of recommendations as appropriate.

The present report of the chairpersons of human rights treaty bodies on their fifteenth meeting contains information relevant to the implementation of resolution 57/300.

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I. Introduction

1. The fifteenth meeting of chairpersons of the human rights treaty bodies, convened pursuant to General Assembly resolution 49/178 of 23 December 1994, was held at the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Geneva from 23 to 27 June 2003. The meeting was preceded by the second inter-committee meeting, held from 18 to 20 June 2003 (for the report of that meeting, see annex I). In addition to considering the implementation of the recommendations of the fourteenth meeting, the chairpersons were invited to discuss the ideas contained in the report of the Secretary-General entitled "Strengthening of the United Nations: an agenda for further change" (A/57/387) and the report of a brainstorming meeting on reform of the human rights treaty body system held in Malbun, Liechtenstein, from 4 to 7 May 2003 (HRI/ICM/2003/4-HRI/MC/2003/4).

2. The following chairpersons of human rights treaty bodies attended the meeting: Feride Acar, Chairperson of the Committee on the Elimination of Discrimination against Women; Abdelfattah Amor, Chairperson of the Human Rights Committee; Virginia Bonoan-Dandan, Chairperson of the Committee on Economic, Social and Cultural Rights; Peter Burns, Chairperson of the Committee against Torture; Jakob E. Doek, Chairperson of the Committee on the Rights of the Child; and Ion Diaconu, Chairperson of the Committee on the Elimination of Racial Discrimination.

3. The meeting was opened by the Deputy High Commissioner for Human Rights, Bertrand Ramcharan, on 23 June 2003.

4. Mr. Doek was elected Chairperson-Rapporteur of the meeting and Mr. Burns was elected Vice-Chairperson. At the opening meeting, the chairpersons adopted the agenda (HRI/MC/2003/1) and the proposed programme of work.

II. Address by the Deputy High Commissioner for Human Rights

5. In his opening statement, the Deputy High Commissioner thanked the chairpersons for their service, commitment and devotion to the promotion and protection of human rights. He welcomed the adoption by the General Assembly in December 2002 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. He pointed out that the work of the treaty bodies was attracting greater recognition in regional and national courts and tribunals, and noted that several committees had introduced mechanisms to follow up their concluding observations.

6. The Deputy High Commissioner drew attention to several OHCHR initiatives aimed at supporting States in meeting their reporting obligations and implementing the recommendations of the treaty bodies. These included a pilot workshop, held in Quito in August 2002, to follow up on the recommendations of the Human Rights Committee, a regional training course on the preparation and presentation of reports to treaty bodies held in Tegucigalpa in May 2003, and the reassignment of a staff member of the Support Services Branch to the Office of the Regional Adviser to the High Commissioner in Santiago de Chile. He emphasized the efforts of the Office to secure sufficient resources to support the work of the treaty bodies and strengthen

the Petitions Unit. Some changes had been made to the structure of the Office since the previous meeting, including the creation of an External Relations Branch and a Special Procedures Branch.

7. Turning to the ideas on strengthening human rights put forward by the Secretary-General in his report, the Deputy High Commissioner indicated that their objective was to reinforce human rights at the country level, maximize the potential of the human rights treaty system, enhance the work of the special procedures and streamline the management of the Office. With regard to the second objective, the Deputy High Commissioner described the efforts of the Office to ensure broad and inclusive consultations with treaty bodies, States parties, non-governmental organizations and United Nations bodies, including the brainstorming meeting held in Liechtenstein. He thanked the chairpersons for providing the written views of their committees on the Secretary-General's ideas to the High Commissioner and welcomed the points of agreement of the second inter-committee (see annex I), which he viewed as a constructive input into the ongoing consultations. The recommendations on cross-referencing of concluding observations/comments, collaboration on general comments/recommendations, the role of national human rights institutions, capacity-building, follow-up to concluding observations and the encouragement of timely reporting were particularly important. He also noted that the inter-committee meeting shared the concerns and objectives enunciated by the Secretary-General in his report on organizational reform, but agreed that they could be more appropriately met by an expanded core document and by targeted, treaty-specific reports.

III. Follow-up to previous recommendations and review of recent developments relating to the work of treaty bodies

8. Noting that information on developments with respect to his committee were contained in the report of the second inter-committee meeting and the background document prepared by the secretariat (HRI/MC/2003/2), the Chairperson of the Human Rights Committee underlined the importance and usefulness of the meeting of human rights chairpersons as a forum for the discussion of common concerns.

9. The Chairperson of the Committee on Economic, Social and Cultural Rights reported on the adoption of a statement on the Millennium Development Goals and economic and social rights with the special rapporteurs on economic, social and cultural rights of the Commission on Human Rights. The Committee had also adopted General Comment No. 15 on the right to water, and convened a general discussion on the right to food. The Committee was currently working on a general comment on gender equality and on the right to work and a statement on cultural rights. In May 2003, the Joint Expert Group on the monitoring of the right to education, comprising members of the Committee on Conventions and Recommendations of the Executive Board of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and of the Committee on Economic, Social and Cultural Rights, had met in Paris. A follow-up meeting would be held in November 2003. An informal meeting with States parties was also scheduled for November. The Committee favoured closer cooperation with other treaty bodies and was soliciting comments on its general comment on article 3 from the Committee on the Elimination of Discrimination against Women.

10. The Chairperson of the Committee on the Elimination of Racial Discrimination reported that a thematic debate on discrimination based on descent, resulting in a general recommendation, had been held with NGOs, States parties and members of the Subcommission on the Promotion and Protection of Human Rights. A statement on the impact of armed conflict on human rights had also been adopted. The Committee had actively collaborated with other bodies, including the International Law Commission. An informal meeting with States parties would be convened at its session in August 2003. As it had been unable to convene a pre-sessional working group, the Committee had not drawn up lists of issues and questions to transmit to States parties in advance of the consideration of their reports. The Committee was open to receiving information from national human rights institutions and NGOs.

11. The Chairperson of the Committee against Torture reported that one article 20 inquiry had been completed in 2002 and another was scheduled for 2004. As inquiries required significant financial resources, only a limited number could be conducted. The Committee had also concluded a statement on human rights obligations in the face of terrorist threats, which had been sent to States parties. The Committee had established a working group on non-reporting and, as a result, one non-reporting State had submitted a report. In November, the pre-sessional working group would begin to prepare a list of issues and questions to be transmitted to States parties prior to the consideration of their reports. As in the past, the Committee against Torture, the Special Rapporteur on torture, the Chairperson of the Board of the United Nations Voluntary Fund for Victims of Torture and the High Commissioner would issue a joint statement on 26 June 2003, the International Day of Support for the Victims of Torture.

12. The Chairperson of the Committee on the Elimination of Discrimination against Women indicated that at its twenty-ninth session the Committee would convene a meeting with States parties whose reports were more than five years overdue to discuss measures to encourage reporting. In preparation, a profile of non-reporting States parties had been prepared by the Division for the Advancement of Women. As an exceptional and temporary measure, the Committee encouraged States parties with overdue reports to combine reporting obligations in a single document; furthermore, an exceptional session of the Committee had been held during 2002 to review the reports of 11 States parties. The Committee was currently preparing a general recommendation on temporary special measures (article 4.1), and experts were preparing background papers for general comments on other issues. The Committee had also established a standing working group on its Optional Protocol. In conclusion, the Chairperson noted that enhanced collaboration with the Division and with OHCHR had resulted in a higher quality of support for the Committee.

13. The Chairperson of the Committee on the Rights of the Child stated that there were a significant number of reports awaiting review by the Committee, which was a cause of concern. The submission of a significant number of overdue reports would exacerbate this backlog, as would the submission of reports under the two Optional Protocols to the Convention. The membership of the Committee had recently expanded from 10 to 18 and discussions had been initiated on the possibility of establishing parallel chambers/task forces/subgroups to review a greater number of reports. Regarding the Secretary-General's proposals, the Committee considered that the emphasis should be on strengthening existing

mechanisms, such as the core document, rather than on fundamental changes, such as allowing for a single report.

IV. Update on the status of the Annual Appeal 2003 and the 2002-2004 Programme to Support Human Rights Organs and Treaty Bodies

14. The secretariat outlined efforts to implement the activities for which extrabudgetary funds had been raised in 2002 and the emphases of the 2003 Annual Appeal. Extrabudgetary funds received in 2002 had been used to provide additional human resources for the servicing of treaty bodies. This had resulted in a reduction of the delay between the submission and the examination of States parties' reports and in the processing of communications. Financial support had also been provided for informal meetings between treaty bodies and States parties, the first inter-committee meeting and the Committee on the Rights of the Child discussion day in September 2002.

15. During 2003, priorities included support to the Documents Processing Unit, the Treaty Body Recommendations Unit, the Malbun brainstorming meeting, the second inter-committee meeting, the Secretary-General's study on violence against children, and strengthening activities in connection with the follow-up to treaty body recommendations. Funds should be available to support the participation of chairpersons in the sixtieth session of the Commission on Human Rights.

V. Cooperation between treaty bodies and non-governmental organizations

16. The chairpersons convened a meeting with NGOs on 24 June 2003.

17. Discussion between the chairpersons and NGOs focused on measures to address non-reporting and late reporting, the use of treaty body recommendations to enhance the effectiveness of technical cooperation, and greater coordination between international and national NGOs with regard to the reporting process. There was general agreement that enhanced capacity at the national level, within both government and civil society, was crucial to implementing human rights treaty obligations, including the obligation to report.

18. Several speakers addressed the issue of strengthening the treaty body system and spoke positively of the report of the second inter-committee meeting. Questions were raised regarding the periodicity for updating an expanded core document, why NGO information could not be included in all country summaries/analyses prepared by the secretariat for treaty bodies, and how committees would determine whether a report was "substantially" overdue to initiate procedures for non-reporting. NGOs were also concerned that discussions on treaty body reform had focused too narrowly on the issue of reporting, and they encouraged the chairpersons to broaden the debate to encompass strengthening of the human rights treaty body system as a whole and, more specifically, enhancing the implementation of human rights treaties at the national level.

VI. Cooperation between treaty bodies and the specialized agencies and United Nations departments, funds and programmes

19. On 25 June 2003, the chairpersons met with representatives of the specialized agencies and United Nations departments, funds and programmes.

20. The representative of the Department of Public Information addressed the concerns raised by some treaty bodies and Governments regarding press releases on treaty body sessions. She suggested that means should be developed for the treaty bodies or their secretariats to check press releases for accuracy prior to dissemination, since staff levels of the Department were not going to expand.

21. The representative of the International Labour Office welcomed the introduction by OHCHR of an electronic listserve for timely transmission of concluding observations/comments, which could be sent on readily to field offices. The Office was increasing its training, especially of judges, and drew attention to an activity that would take place in Manila in September 2003. He called upon all actors of the United Nations system to work together to reinforce the idea of a unified system of human rights. He urged treaty bodies to provide feedback on the usefulness of the information provided by the Office. The appointment of designated liaison persons by some treaty bodies was welcomed. With regard to reporting, the representative suggested that reports to the Office could be used as part of reports to the treaty bodies.

22. The representative of the United Nations Children's Fund (UNICEF) highlighted efforts to adopt a rights-based approach to programming. UNICEF had recently undertaken an evaluation of its work with the Committee on the Rights of the Child, which revealed that this collaboration had enhanced the work of its country programmes. She drew attention to the importance of effective follow-up, for which concrete and realistic recommendations were critical. Recommendations from the Committee provided a framework for practical action, including the development of new country programmes. She also noted that the reporting system allowed for dialogue on sensitive human rights issues. UNICEF was not in favour of allowing States to submit a single report.

23. The representative of the World Health Organization (WHO) described efforts to integrate a human rights perspective into its work, in order to support Governments in taking a human rights-based approach to health development and to advance the right to health. WHO played a role at all stages of the reporting and monitoring process, including assisting in the preparation of reports and the implementation of concluding observations. It had collaborated with certain treaty bodies, in particular in conjunction with United Nations Population Fund (UNFPA), in the area of reproductive and sexual health. WHO encouraged consistent follow-up, standardized formats for general comments/recommendations and harmonization of reporting guidelines and procedures. Closer linkage between observations and recommendations of treaty bodies and Charter-based mechanisms could also be encouraged.

24. The representative of UNFPA indicated that background reports had been prepared for the Committee on Economic, Social and Cultural Rights and the Human Rights Committee, and UNFPA would welcome feedback on them. General

comments/recommendations, accompanied by explanatory notes on how they could be included in country programmes, had been transmitted to UNFPA field offices. UNFPA was also engaged in developing a rights-based approach to its programming and was conducting a review of the extent to which rights could be further integrated into its work. It now intended to focus on capacity-building with respect to the rights-based approach.

25. The representative of UNESCO indicated that its new draft strategy on human rights would be considered at the General Conference in October. It was seeking to increase its contribution to all human rights through education and research and in its areas of competence. Accordingly, with regard to human rights education, its draft strategy focused on monitoring and standard-setting and strengthening partnerships. Increased cooperation, in particular with treaty bodies, was regarded as a priority.

26. The representative of the Office of the United Nations High Commissioner for Refugees (UNHCR) also underlined the importance of cooperation and the complementary nature of human rights and refugee law. He noted that human rights treaties provided basic protection for displaced persons in States that were not party to the 1951 Convention relating to the Status of Refugees. He invited all treaty bodies to give full and proper attention to the problems of refugees, internally displaced persons and other displaced persons. UNHCR was conducting a survey of the concluding comments/recommendations of the committees in order to improve and focus its input. Practical and concrete concluding observations/recommendations of treaty bodies also assisted UNHCR. Consistency and a balanced approach by the treaty bodies was encouraged. UNHCR offered its full support to the human rights treaty bodies and its assistance in the drafting of general comments/recommendations.

27. The representative of the Joint United Nations Programme on HIV/AIDS (UNAIDS) indicated that UNAIDS considered HIV/AIDS and the lack of protection of human rights to be inextricably linked. There was a broad commitment to dealing with HIV/AIDS and the issue was now being placed in a human rights framework. She indicated, however, that that approach had not been widely reflected in the concluding observations/comments of treaty bodies, although some of the concluding observations/comments of the Committee on the Rights of the Child had been used by some countries to guide the development of programmes and legislation. She welcomed the Committee's General Comment No. 3 on HIV/AIDS and the rights of the child and pledged the support of UNAIDS to the work of human rights treaty bodies.

VII. Cooperation with the Commission on Human Rights and the Subcommission on the Promotion and Protection of Human Rights

28. On 25 June 2003, the chairpersons met with the Expanded Bureau of the Commission on Human Rights at its fifty-ninth session and with the Chairperson of the Subcommission on the Promotion and Protection of Human Rights at its fifty-fourth session, Paulo Sérgio Pinheiro. Ambassador Najat Al-Hajjaji, Chairperson of the Commission at its fifty-ninth session, introduced the members of the Expanded Bureau attending the meeting, as well as the coordinators of the regional groups for

Asia, Eastern Europe, Latin America and the Caribbean, and Western European and other States (the representative of the African Group sent his apologies).

29. The Chairperson highlighted some aspects of the fifty-ninth session and noted the success of strategies to maximize the time available for discussion and the practice of electing the Bureau of the Commission in January. She outlined reforms of the Commission's working methods, such as the introduction of the high-level segment for dignitaries and an interactive dialogue between the special procedures mandate-holders and members of the Commission. She also noted that a number of mandates had been renewed, and that consideration of a number of country situations had moved from item 9 (violations) to item 19 (technical assistance). As a working group on an optional protocol to the International Covenant on Economic, Social and Cultural Rights would be convened in 2003, the mandate of the independent expert on that issue had not been renewed.

30. The Chairperson was particularly pleased that the chairpersons of four of the committees (Committee on the Elimination of Discrimination against Women, Committee on the Elimination of Racial Discrimination, Committee on the Rights of the Child, Human Rights Committee) had been able to accept the invitation of the Expanded Bureau to address the session, as recommended by the chairpersons at their meeting in 2002. The Commission considered the effective functioning of the treaty bodies at each of its sessions under a specific agenda item, thereby affording States and NGOs an opportunity to comment on the work of the committees. The Commission had also adopted a number of resolutions calling for a direct or indirect role for the treaty bodies in their implementation.

31. The Chairperson underscored the common aims of the Commission and the treaty bodies in promoting and protecting human rights. Although the Commission was a political body and the treaty bodies were expert bodies, there was considerable scope for cooperation and dialogue, as had been established in recent years.

32. Two of the vice-chairpersons of the Commission also expressed the view that close relations between the Commission and the treaty bodies were essential for ensuring consistency in their work. They both indicated that the recommendations of treaty bodies carried great weight with States parties and encouraged constructive criticism.

33. The Chairperson of the Subcommission described the work of that body, providing details of the many documents and statements, including from NGOs, that the Subcommission had attracted. The Subcommission's working paper on reservations to human rights treaties would be of particular interest to the treaty bodies. It was important to find a way of enhancing interaction between the various bodies and of transmitting studies to the treaty bodies. The Chairperson also underlined the need for a permanent dialogue with Member States as a way of exchanging ideas.

VIII. Fifth joint meeting of chairpersons of human rights treaty bodies and special procedures

34. The joint meeting was co-chaired by Hina Jilani, Special Representative of the Secretary-General on human rights defenders, and Mr. Doek, Chairperson of the

Committee on the Rights of the Child. Discussion began with a presentation by Mr. Pinheiro, who had been appointed by the Secretary-General as the independent expert to lead the study on violence against children. Mr. Pinheiro described the consultative process he was undertaking in the preparation of the study and the major themes it would address. Experts and chairpersons highlighted the importance of addressing violence against children in the context of economic, social and cultural rights, the link between environmental problems such as trade in toxic wastes and violence against children, and the effect of globalization on violence against children. One expert also suggested that Mr. Pinheiro should take account of the international expert consultation on violence prevention and human rights that the Commission, in its resolution 2003/28 of 22 April 2003, had invited OHCHR, WHO and other relevant United Nations entities to convene, while another expert encouraged Mr. Pinheiro to submit a report that was practical rather than academic.

35. The meeting then considered the question of globalization. The secretariat presented a background paper on the question of globalization and human rights that outlined some of the processes of globalization and identified some of the human rights entry points with a view to making globalization work for all. Many experts then took the floor. Several experts highlighted the need to emphasize the effects of globalization on the enjoyment of cultural rights, noting that globalization could threaten cultural diversity. Similarly, globalization had negative effects on political rights, with democracy diminishing as decision-making occurred at the global, rather than the domestic level. Other experts stressed that the events of 11 September 2001 had altered the course of globalization and that at the current stage a discussion on globalization had to be broadened to include issues of counter-terrorism and threats to multilateralism in decision-making. Some experts indicated the need for the various processes of globalization such as trade and investment liberalization to explicitly acknowledge and respect human rights norms and standards, while others noted that transnational corporations should recognize their responsibilities towards the promotion and protection of human rights. One expert warned against defining globalization too broadly, as that could reduce the relevance of the debate.

36. Several experts considered the need for action in response to globalization. Some indicated a need to develop modalities for human rights impact assessments that could be used by special rapporteurs, independent experts and treaty bodies. Several experts suggested the possibility of developing a code of conduct on human rights in the context of globalization. The Chairperson of the joint meeting summarized the discussion and opened the floor for suggestions on themes for the coming year's joint meeting. Experts suggested counter-terrorism measures and their impact on human rights and the rule of law.[1]

IX. Informal consultations with States parties

37. The fifteenth meeting of chairpersons held informal consultations with States parties on 26 June 2003.

38. States parties welcomed the efforts of treaty bodies to increase their level of consultation with States parties and engage proactively in the current process of strengthening the human rights treaty system initiated by the Secretary-General's report. There was agreement that while non-reporting was a serious concern, efforts

at reform should aim at enhancing the effectiveness of the entire system and strengthening national implementation of treaty obligations, including the obligation to report regularly to treaty bodies. Most States parties endorsed the position of the second inter-committee meeting that a single report was not the most effective means of addressing the challenges facing the treaty bodies system, although the point was made that the single report might remain an option for small States. It was also pointed out that while a single, summary report was not acceptable, the submission of a single report complying with all the reporting guidelines of all the treaty bodies might be an approach which could be taken in the long term. In that context, one State party described its efforts to create an easily updatable electronic database that would form the basis for its reporting.

39. Strong support was expressed for the idea of an expanded core document and targeted or focused periodic reports as well as for the harmonization of reporting guidelines. In addition to the information currently contained in the core document, the document could also include information on basic measures of implementation of the treaties and substantive human rights issues common to all treaties. States parties were in favour of having targeted periodic reports that would focus on the implementation of past concluding observations/comments, new developments and priority issues of concern identified by the treaty body in its list of issues. They were also of the opinion that harmonized reporting guidelines which established common rules for the preparation of reports, and their format and length, would facilitate the reporting process.

40. Targeted technical assistance was regarded as crucial in addressing the problem of non-reporting while at the same time contributing to improved implementation of the human rights treaties at the national level. Suggestions were made that OHCHR should play a coordinating role in that regard.

41. Several States parties voiced support for the inter-committee meeting as a forum which allowed a greater number of treaty body experts to participate in discussions on strengthening the effectiveness of the treaty body system. It was felt that broader discussions between treaty bodies were a prerequisite for greater coordination and consistency in their methods of work and the development of a "best practice" approach among treaty bodies. Suggestions were made that the inter-committee meeting should hold informal consultations with States parties.

42. Many States parties were of the opinion that the human rights treaty body system should receive a greater proportion of the United Nations regular budget and that the measures proposed to strengthen the effectiveness of the human rights reporting system would require additional financial resources. Some called for this issue to be raised at the General Assembly. Some support was expressed for the introduction of appropriate honorariums for all treaty body experts.

43. A few States parties stressed the primacy of the State party report as the basis of constructive dialogue between treaty bodies and States parties, and called for clarification on how NGO information was used by treaty bodies. Several suggested that in the interests of transparency and objectivity, all NGO information provided to treaty bodies by NGOs should be transmitted to the relevant State party. A number of States parties expressed concern that press releases regarding the examination of States parties' reports were sometimes inaccurate or sensationalist, and suggested that treaty bodies should develop ways and means of ensuring the accuracy of that output.

X. Recommendations

Proposals for strengthening the human rights treaty body system

44. The fifteenth meeting of chairpersons reaffirmed the points of agreement concluded at the second inter-committee meeting held from 18 to 20 June 2003, contained in annex I to the present report. The chairpersons called upon human rights treaty bodies to follow up on those recommendations and to report on their implementation at the sixteenth meeting in June 2004.

45. The chairpersons underlined the necessity of providing sufficient financial and human resources to treaty bodies to enable the measures to strengthen the human rights treaty body system recommended by the second inter-committee meeting and the fifteenth meeting of chairpersons to be implemented.

46. The chairpersons also recommended that OHCHR and the Division for the Advancement of Women should explore ways and means of strengthening collaboration and coordination, in particular with regard to technical assistance and support to States parties, in order to ensure effective implementation of the relevant recommendations of the second inter-committee meeting.

Lists of issues and pre-sessional working groups

47. Noting that States parties had underlined the usefulness of the provision by treaty bodies of lists of issues and questions prior to the examination of States parties' reports, the fifteenth meeting of chairpersons recommended that treaty bodies should harmonize their approaches to pre-sessional working groups and lists of issues.

48. The chairpersons also recommended that each treaty body should convene a pre-sessional working group to draft such lists of issues and questions. The working group should meet sufficiently in advance so that the State party concerned might have adequate time to provide written replies. The Chairpersons also recommended that the pre-sessional working group should include, as far as possible, the individual country rapporteurs responsible for each of the States parties' reports to be considered at the session.

49. The meeting of chairpersons further recommended that when drafting lists of issues, treaty bodies should focus on requesting information on priority concerns and new developments and, in the case of periodic reports, on the implementation of concluding observations/comments.

Inter-committee meeting

50. Noting that the inter-committee meeting provided a valuable forum for discussion and the opportunity to develop a consistent and coherent approach by treaty bodies to substantive human rights issues, the chairpersons recommended that the inter-committee meeting should be convened annually, immediately prior to the annual meeting of chairpersons, and that the two meetings should be convened within the same one-week period. The chairpersons also recommended that the agenda of the inter-committee meeting should be devoted to specific substantive issues that affected all treaty bodies. In line with the recommendation of the second inter-committee, the

chairpersons recommended that the third inter-committee meeting in 2004 should examine draft guidelines for the expanded core document.

51. The meeting of chairpersons recommended that the meeting of chairpersons should focus on technical and organizational issues and maintain responsibility for dialogue with States parties, the Commission on Human Rights, the Subcommission on the Promotion and Protection of Human Rights and other partners, including United Nations entities and NGOs.

Secretary-General's study on violence against children

52. The chairpersons recommended that treaty bodies should develop procedures to allow them to contribute actively to the Secretary-General's study on violence against children. They also encouraged the independent expert to meet with all the treaty bodies in order to keep them abreast of the progress of the study.

Cooperation with the Commission and the Subcommission

53. The chairpersons recommended continued development of cooperation with the Expanded Bureau of the Commission on Human Rights and the Chairperson of the Subcommission on the Promotion and Protection of Human Rights.

54. The chairpersons welcomed the invitation extended to them to participate in the fifty-ninth session of the Commission on Human Rights. They recommended that the Commission should consider the possibility of issuing invitations to the chairpersons to attend each session. They also recommended that the Commission consider including an interactive dialogue with chairpersons on the agenda of the sixtieth session. They furthermore recommended that consideration should be given to the provision of resources to support their attendance at the sixtieth session of the Commission.

Cooperation with special rapporteurs

55. The chairpersons noted the value of cooperation between treaty bodies and special procedures mandate holders of the Commission on Human Rights, and recommended that treaty bodies consider appointing a liaison for relevant special rapporteurs in order to enhance collaboration.

Press releases

56. The chairpersons noted the concerns expressed regarding the accuracy of press releases. They recommended that the Department of Public Information consider noting in its press releases that press releases were not official transcripts of the dialogue with States parties and did not reflect the opinion of the treaty body concerned. They recommended that each treaty body implement measures to enhance the accuracy of press releases.

Honorariums

57. The chairpersons recommended that treaty body experts of all committees receive an adequate honorarium.

Notes

[1] See also the recommendation of the tenth meeting of special rapporteurs/representatives, independent experts and chairpersons of working groups of the special procedures of the Commission on Human Rights and of the advisory services programme (E/CN.4/2004/4, para. 76).

Annex I

Report of the second inter-committee meeting of human rights treaty bodies

(Geneva, 18-20 June 2003)

I. Introduction

1. The second inter-committee meeting of the human rights treaty bodies was held at the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Geneva from 17 to 20 June 2003. The meeting was held pursuant to the request of the Secretary-General, in his report entitled "Strengthening of the United Nations: an agenda for further change", that the High Commissioner should consult with treaty bodies on new streamlined reporting procedures under the human rights treaties and submit recommendations thereon by September 2003.[a]

2. The following members of the human rights treaty bodies attended the meeting:

(a) Human Rights Committee: Abdelfattah Amor (Chairperson), Hipólito Solari-Yrigoyen, Maxwell Yalden;

(b) Committee on Economic, Social and Cultural Rights: Virginia Bonoan-Dandan (Chairperson), Eibe Riedel, Philippe Texier;

(c) Committee on the Rights of the Child: Jakob Egbert Doek (Chairperson), Marilia Sardenberg;

(d) Committee on the Elimination of Discrimination against Women: Feride Acar (Chairperson), Cees Flinterman, Heisoo Shin;

(e) Committee on the Elimination of Racial Discrimination: Ion Diaconu (Chairperson), Régis de Gouttes, Linos Alexandre Sicilianos;

(f) Committee against Torture: Peter Burns (Chairperson), Ole Vedel Rasmussen.

3. The meeting was opened by the Chief of the Treaties and Commission Branch, OHCHR. She explained that the inter-committee meeting had been convened during the current year, instead of the following year as originally scheduled, in order to provide treaty bodies with an opportunity to provide input into the process launched by the Secretary-General in his report. In addition to considering progress in implementing the recommendations of the first inter-committee meeting, the meeting was to discuss the Secretary-General's ideas that (a) the committees should craft a more coordinated approach to their activities and standardize their varied reporting requirements and (b) that each State should be allowed to produce a single report summarizing its adherence to the full range of international human rights treaties to which it is a party. She drew attention to the background document prepared by the secretariat (HRI/ICM/2003/3 and Add.1) as well as the report of a brainstorming meeting on reform of the human rights treaty body system held in Malbun, Liechtenstein, from 4 to 7 May 2003 (HRI/ICM/2003/4-HRI/MC/2003/4).

4. Jakob Egbert Doek was elected Chairperson-Rapporteur.

II. Follow-up to previous recommendations and review of recent developments

5. The Chairperson of the Human Rights Committee reported that most of the recommendations of the first inter-committee meeting had been implemented or discussed during the past year. Beginning with its seventy-fifth session in July 2002, the Committee had introduced a system of country report task forces, consisting of four to six members, to improve the lists of issues and the quality of the dialogue between the Committee and the State party under review. The task forces were responsible for formulating the list of issues, taking the lead in conducting dialogue with the State party and, as necessary, assisting the Special Rapporteur on follow-up to concluding observations. A systematic procedure to follow up concluding observations was now applied, to which States parties were responding well.

6. The Chairperson of the Committee on the Elimination of Discrimination against Women reported that the Committee had undertaken a comprehensive review of its working methods and had adopted new reporting guidelines, including page limitations on the reports of States parties. New modalities of organizing the dialogue with States parties presenting periodic reports had been introduced that included time limits for speakers. As a result of an exceptional session of the Committee held in August 2002, significant inroads had been made into the backlog of reports awaiting review. A meeting between the Committee and States that had not ratified to the Convention had been convened during the twenty-eighth session in January 2003 to promote ratification. The Committee was engaged in efforts to encourage the submission of overdue reports and it would meet with States parties whose reports were overdue at its upcoming session in June/July 2003. The Committee had not yet decided to consider the implementation of the Convention in States parties in the absence of a report. The Committee was open to collaboration with other treaty bodies in elaborating general comments/recommendations and had held discussions with the Chairperson of the Committee on Economic, Social and Cultural Rights on that committee's draft general comment on article 3.

7. The Chairperson of the Committee against Torture indicated that, beginning with its next session, the Committee would formulate a list of issues and questions to be sent in advance to reporting States. It had also established a working group to consider approaches to non-reporting States and it had been agreed that, in future, the Committee would deal with the implementation of the Convention in the State party in the absence of a report. It had also invited States parties with outstanding reporting obligations to combine several reports in a single document. The Committee had convened a successful meeting with States parties during its last session and had also adopted guidelines regulating the relationship between the Committee and the subcommittee to be established under the Optional Protocol to the Convention against Torture adopted by the General Assembly at its fifty-seventh session following its entry into force.

8. The Chairperson of the Committee on the Elimination of Racial Discrimination reported that the Committee's working methods were being reviewed. The Committee would meet informally with States parties during 2003 and it had also requested country briefs on States parties that were presenting reports. Currently, lists of issues and questions were not formulated by the Committee, as there was no provision for the Committee to meet in a pre-sessional working group. The Committee had the power to solicit additional information from States parties at any

time, and that information was reviewed outside the regular reporting cycle. The fact that the Committee met in parallel with the sessions of the Commission on Human Rights and of the Subcommission on the Promotion and Protection of Human Rights had provided an opportunity for close cooperation between the Committee and those bodies. The Committee was currently questioning the value of press conferences and was seeking to address the concerns of some States parties with respect to press releases relating to Committee meetings.

9. The Chairperson of the Committee on the Rights of the Child explained that the membership of the Committee had recently been expanded from 10 to 18, following the entry into force of an amendment to the Convention. He stressed the efforts being made by the Committee to produce specific and practical concluding observations, and indicated that in the formulation of concluding observations, the conclusions of other treaty bodies were considered and frequently drawn upon. He also noted that the Committee's process of preparing general comments was open and participatory. The Committee had strengthened its efforts to ensure reporting by States parties. Six letters had been transmitted to States that had yet not reported, resulting in the submission of four reports and the notification by one State party that its report was in preparation. The Committee had not yet considered a report in the absence of a delegation. The Committee considered national as well as international press coverage to be essential in promoting implementation and was considering ways in which press attention could be heightened. In view of the almost universal acceptance of the treaty and the significant degree of compliance with reporting obligations, a large number of reports had still to be reviewed by the Committee. The Committee was currently considering the option of meeting in two subgroups or chambers in order to address the backlog of reports awaiting review and to absorb the new burden on the Committee arising from the submission of reports under the two Optional Protocols to the Convention on children and armed conflict and on the sale of children, child prostitution and child pornography.

10. Reporting on behalf of the Chairperson of the Committee on Economic, Social and Cultural Rights, the Vice-Chairperson of the Committee, Eibe Riedel, noted the ongoing efforts of the Committee to improve its working methods with regard to the dialogue with States parties and the elaboration of action-oriented recommendations. The Committee was very supportive of the idea of joint statements or general comments/recommendations with other treaty bodies to ensure consistent jurisprudence, and the Vice-Chairperson drew attention to discussions which had taken place with the Committee on the Elimination of Discrimination against Women on the idea of a joint general comment on article 3 of the Covenant. The Committee was concerned about States parties that failed to report or whose reports were significantly overdue as well as those that did not report on all their territories. In the Committee's experience, the review of the implementation of the Covenant in the absence of the report had often led to the submission of late reports. The Vice-Chairperson noted the presentation of an implementation report on Brazil by a coalition of approximately 300 civil society organizations and public institutions, which had encouraged the State party to present its report. He pointed to the difficulties States parties experienced in relation to the collection of disaggregated and comparative data and drew attention to the establishment of benchmarks in the Committee's recent general comments. The Committee was considering the introduction of a system whereby individual States parties would be called upon to establish benchmarks which they would communicate to the Committee, to serve as

the basis of future reports. The Committee was also considering nominating a special rapporteur to follow up concluding observations. The Committee was appreciative of NGO participation and also conveyed NGO information to States parties.

III. The Secretary-General's ideas on strengthening the human rights treaty body system

11. The inter-committee meeting discussed the ideas put forward by the Secretary-General in his report, in particular those relating to enhancing implementation of human rights obligations at the national level and strengthening the human rights treaty body system, as well as the report of the Malbun meeting. It decided to focus on a number of issues: ensuring consistency in treaty body practice, including with respect to background information on States parties to be provided by the secretariat to committees; joint or parallel general comments/recommendations; the role of national human rights institutions in the reporting process; the Secretary-General's ideas on reporting to human rights treaty bodies; and non-reporting. Other issues, including capacity-building for reporting and follow-up to and dissemination of concluding observations/comments, were also considered.

Consistency in treaty body practice

12. Participants underlined the importance of consistency in the practice of treaty bodies and made recommendations relating to the information that the secretariat should provide as background information for the consideration of reports. They agreed that although the State party report formed the basis for the consideration of the implementation of human rights in that State party, other information, including from United Nations entities and NGOs, was valuable in enhancing the knowledge of committees with respect to the situation at the national level. A country-specific summary including information from other treaty bodies, special procedures of the Commission on Human Rights and other human rights mechanisms should be prepared by the secretariat. Where the respective committee so decided, the summary could also include information from United Nations entities, national human rights institutions and NGOs. Participants underlined the importance of information available to the special procedures mandates holders and suggested that ways and means of deepening cooperation between the treaty bodies and those mechanisms should be explored. United Nations entities were also encouraged to engage more systematically with human rights treaty bodies, and it was suggested that treaty bodies should consider the nomination of members to act as liaison persons with specific United Nations entities. NGOs were called upon to continue to provide more timely information, including in languages other than English.

13. Participants noted that although some treaty bodies referred to the concluding observations/comments of other treaty bodies in their concluding observations/comments, others had chosen not to do so. While some participants considered that cross-referencing of concluding observations/comments might compromise the autonomous and independent nature of individual treaty bodies, most considered that cross-referencing underlined the indivisible nature of human rights and would ensure consistency of interpretation. In that context, some participants took the view that cross-referencing should extend to the standards

developed by other international and regional human rights mechanisms, such as the International Labour Organization, the African Union, the Council of Europe and the Organization of American States, as well as decisions taken by their supervisory organs, and other bodies as well. It was also suggested that concluding observations/comments should include reference to the outcome of United Nations global conferences. At the same time, it was noted that since concluding observations/comments should be useful at many levels, including for judges, lawyers, parliaments, the media, NGOs and national human rights institutions, they should be short, operational and as non-technical as possible. In that regard, while cross-referencing was appropriate in some cases, it might be more useful for individual treaty bodies to repeat the formulations of other treaty bodies in their concluding observations/comments.

Joint or parallel general comments/recommendations

14. Emphasizing the importance of consistent jurisprudence across treaty bodies, participants considered modalities of cooperation and collaboration by treaty bodies with respect to general comments/recommendations. Consultation among treaty bodies on topics for general comments/recommendations and circulation of drafts of these documents for comment by other treaty bodies were encouraged. As the competence to formulate general comments/recommendations was devolved on individual treaty bodies, rather than treaty bodies as a whole, it was considered that joint general comments/recommendations might be outside the legal competence of the treaty bodies. Harmonization in that context might also be difficult because of the different working methods of the committees.

15. Support was expressed for the adoption of general comments/recommendations by two or more committees in parallel. Parallel general comments/recommendations could be formulated with regard to issues of concern to more than one treaty body, such as non-reporting or reservations, although such comments on substantive issues could also be considered, in particular where the wording of the relevant articles in the treaties was identical or very similar.

National human rights institutions

16. Participants underlined the importance of national human rights institutions and their role in the system of reporting under human rights treaties. It was noted that several committees had adopted general comments on the role of national human rights institutions, and participants encouraged their creation and participation in the reporting process and, in particular, in monitoring the implementation of concluding observations/comments.

Secretary-General's proposals for strengthening the human rights treaty system

17. The inter-committee meeting noted that the Secretary-General's ideas on the human rights treaty system, in particular, the suggestion that each State should be allowed to produce a single report summarizing its adherence to the full range of international human rights treaties to which it was a party, were aimed at strengthening the human rights treaty system and the capacity of States to implement human rights at the national level. Participants indicated that each of the human rights treaty bodies had discussed the feasibility of the single report and, noting that such an approach had also been put forward by the Office of Internal

Oversight Services, had concluded that preparation of a single report would be a complex, perhaps unmanageable exercise. It was also believed that a single report would result in either very lengthy reports or superficial and summary reporting. Some treaty bodies had expressed concern that a single report could lead to the marginalization of treaty-specific issues. It was also suggested that a single report might be a long-term objective, which could be appropriate in a context of a single treaty body.

18. Although some participants considered that a pilot study on the feasibility of a single report might be appropriate, all considered that the current focus should be on encouraging ratification, withdrawal of reservations and implementation of human rights treaties. They also took the view that the overarching concerns and objectives of the Secretary-General, prime among which was ensuring implementation of the full range of human rights obligations by States parties, could be addressed more effectively by requiring them to submit an expanded core document, which would be regularly updated. In addition, States parties would be required to submit treaty-specific targeted periodic reports. The inter-committee meeting recommended that the secretariat prepare draft guidelines for an expanded core document, taking into account the existing reporting guidelines for human rights reporting and congruent or overlapping provisions in the seven core human rights treaties. The draft guidelines would be circulated to treaty bodies for comment and submitted to the third inter-committee meeting for consideration in 2004.

Non-reporting

19. The inter-committee meeting agreed that it was important that treaty bodies adopt a consistent policy and approach to States parties that failed to comply with their reporting obligations. A number of treaty bodies had taken the approach of reviewing the implementation of their respective treaties in States parties with long-overdue reports in the absence of a report, and it was agreed that all treaty bodies should take that approach as a last resort and subject to transparent criteria and procedures.

Other issues

20. Other issues addressed by the inter-committee meeting included the dissemination of concluding observations/comments and other treaty body outputs. The introduction by OHCHR of an electronic listserve to provide for timely and wide dissemination of this output was praised and further efforts were encouraged. The meeting also encouraged each treaty body to consider establishing formal procedures to follow up the implementation of concluding observations/comments, particularly in the light of the response by States parties to the procedure introduced by the Human Rights Committee. OHCHR and the Department for the Advancement of Women were urged to continue and strengthen capacity-building for States parties in the implementation of human rights treaties, reporting and follow-up to recommendations of committees.

21. The inter-committee meeting discussed the possibility of those treaty bodies with a large membership meeting in subgroups or in parallel chambers, including to consider the reports of States parties, in particular in the light of the backlog of reports awaiting review which affected those committees whose treaties had been ratified by a large number of States.

22. Issues relating to documentation and translation were also discussed. It was stressed that the work of treaty bodies was greatly facilitated by the timely availability of documentation in all working languages of the Committee.

IV. Dialogue with non-governmental organizations

23. Representatives of the International Federation of Human Rights Leagues (FIDH), Human Rights Watch (HRW), the International Commission of Jurists (ICJ) and International Women's Rights Action Watch-Asia Pacific (IWRAW-AP) presented their views to the inter-committee meeting with regard to the strengthening of the human rights treaty body system, with FIDH, HRW and ICJ providing a joint paper on the matter that was also supported by other NGOs. IWRAW-AP also circulated a position paper.

24. NGOs stressed that their emphasis was on enhancing the work of human rights treaty bodies. In that regard, reporting was critical for national-level implementation and follow-up and several underlying issues affected reporting by States parties, including lack of political will. Allowing States parties to prepare and present a single report on the implementation of all the human rights obligations to which they were party would not provide the framework for reporting of sufficient specificity. Such a report would not comply with the periodicity for reporting envisaged in most of the treaties and, in the light of its complex nature, might not reduce delays in reporting. NGOs saw some potential in the idea of focused reports, but suggested that the periodicity governing focused reports should be shorter than that for comprehensive reports. Focused reports should not entirely replace comprehensive reports, which should continue to be required by treaty bodies on a regular basis. An expansion of the current core document to incorporate other information of common interest to treaty bodies could also contribute to the modernization of the system. However, the updating of any expanded core document should be mandatory in order to keep the information current.

25. Harmonization of procedures was called for, especially with respect to non-reporting, follow-up and urgent actions, with procedures being based on the best practices of treaty bodies. The link between the process of review by treaty bodies at the international level and national-level follow-up was emphasized, and it was suggested that efforts should be strengthened to ensure that the potential of the reporting cycle to encourage national-level advocacy was exploited as much as possible. It was also pointed out that lack of clarity with respect to the meaning of the rights in human rights treaties limited understanding of the measures required to ensure de facto implementation of human rights obligations. Lack of data and statistics, as well as political will, led to delayed reporting or non-reporting.

V. Points of agreement

Consistency

26. In the light of the principle of the universality, indivisibility and interdependence of human rights, the inter-committee meeting emphasized the need to ensure consistency in the examination of reports by all treaty bodies. To that end, the meeting recommended that the secretariat ensure that, in addition

to the State party report, the same basic information was provided to all treaty bodies.

27. In order to enhance consistency, it was further recommended that the secretariat provide, to all members of the relevant treaty body prior to the examination of a State party's report, the concluding observations/recommendations of other committees and relevant decisions on individual communications/complaints, including from regional organizations when appropriate, from the preceding three years. Where the State party had been examined by another treaty body within the previous three months, the meeting recommended that the secretariat provide, where available, the summary records of that meeting.

28. The inter-committee meeting furthermore recommended that, where appropriate, committees should refer to relevant concluding observations/comments of other treaty bodies either during the dialogue or in their own concluding comments.

Country information used in the consideration of reports

29. The inter-committee meeting emphasized that the State party report formed the basis for the consideration of the implementation of human rights instruments in that State party. Additional information from non-State sources was nevertheless useful for enhancing the treaty bodies' understanding of the situation within a country, and the meeting welcomed the additional information which was often provided by other human rights mechanisms, OHCHR, the Division for the Advancement of Women, United Nations entities and NGOs.

30. The meeting encouraged greater engagement by specialized agencies and funds and programmes of the United Nations in the reporting process at both the national and the international level. It recommended that each treaty body designate a focal point to liaise with key relevant specialized agencies.

31. The meeting recommended that the secretariat should systematically summarize country-specific information in order to facilitate the work of experts, and that such a summary should consistently include relevant information from other treaty bodies, special procedures of the Commission on Human Rights and other human rights mechanisms. Where appropriate, and in accordance with the decision of each committee, information from specialized agencies and United Nations programmes, regional or intergovernmental organizations, including the World Bank and other international financial institutions, national and international NGOs and national human rights institutions should also be included.

The role of national human rights institutions in reporting

32. The inter-committee meeting emphasized the constructive role that national human rights institutions could play in the human rights reporting process, at both international and national levels. It encouraged all national human rights institutions established in accordance with the Paris Principles to contribute independently, where appropriate, to the reporting process under international human rights instruments and to monitor the government reports

to international treaty bodies. The meeting also encouraged national human rights institutions to actively monitor the implementation of concluding observations/comments of treaty bodies at the national level.

Capacity-building

33. The inter-committee meeting agreed that capacity-building was important for effective national reporting and recommended that OHCHR, the Division for the Advancement of Women and treaty bodies should coordinate the consideration of possible objectives and strategies that could contribute to the effectiveness of technical cooperation. It also recommended that capacity-building efforts undertaken by OHCHR and the Department, United Nations agencies and programmes and NGOs, in particular those relating to follow-up to recommendations of treaty bodies, should be expanded and adequately funded.

Joint or parallel general comments/recommendations

34. The inter-committee meeting agreed that general comments/recommendations and the process of their elaboration provided opportunities for reflecting the holistic nature of the treaty body system. The meeting recommended that treaty bodies strengthen their efforts to exchange information and opinions on general comments/recommendations in order to ensure jurisprudential consistency among treaty bodies with respect to substantive issues.

35. On substantive issues, where the language of provisions of different treaties was virtually identical, treaty bodies should cooperate in the elaboration of general comments/recommendations, which would then be adopted by each of those committees in parallel.

36. The inter-committee meeting agreed that common issues could be the subject of general comments/recommendations adopted by treaty bodies in parallel. The meeting considered that a general comment on non-reporting should be adopted by each committee in parallel.

Dissemination of concluding observations/comments

37. The inter-committee meeting welcomed the secretariat's creation of a public listserve to facilitate the dissemination of concluding observations/comments electronically after each session. It recommended that the secretariat expand the listserve to include the work of other human rights mechanisms, in particular reports of the special mechanisms of the Commission on Human Rights.

Proposals for strengthening the human rights treaty body system

38. The inter-committee meeting agreed that it shared the overriding concerns and objectives of the Secretary-General expressed in his report, in particular with regard to strengthening the implementation of human rights obligations at the national level. The meeting agreed that the proposal that each State should be allowed to produce a single report summarizing its adherence to the full range of international human rights treaties to which it was a party would not adequately meet those overriding concerns and objectives.

39. The inter-committee meeting considered that those concerns and objectives could be met more appropriately by requiring States parties to human rights treaties to prepare an expanded core document that would be regularly updated, as well as treaty-specific targeted periodic reports to individual treaty bodies.

40. The inter-committee meeting recommended that the secretariat prepare draft guidelines for an expanded core document for consideration by each committee and adoption by the third inter-committee meeting in 2004. The guidelines should emphasize substantive human rights issues relating to provisions in all or several human rights treaties.

41. Taking into account the specificity of each treaty, the inter-committee meeting also recommended that the secretariat examine the possibilities for greater harmonization of the reporting guidelines for each of the treaty bodies.

Follow-up

42. In the light of the initiatives taken by the Human Rights Committee and the Committee against Torture, the inter-committee meeting recommended that all treaty bodies should examine the possibility of introducing procedures to follow up their recommendations.

Non-reporting

43. Taking into account the relevant provisions of the respective treaties and rules of procedure, the inter-committee meeting recommended that each committee adopt appropriate procedures to examine the situation of human rights in a State party whose reports were long overdue and that had not responded to reminders of its reporting obligation. In that regard, all committees should adopt the following incremental and graduated measures to encourage submission of overdue reports:

(a) At each session, the secretariat shall notify the committee of all cases of non-submission of reports. In such cases, the committee shall transmit to the State party concerned a reminder concerning the submission of such reports;

(b) At each session, the secretariat shall provide the committee with a list of all reports that are substantially overdue. In such cases, the committee may notify the States parties concerned that the implementation of the treaty will be considered at a designated session and request the State party to indicate before the following session when it will submit the overdue report;

(c) The Committee shall also inform the State party of the availability of technical assistance with respect to reporting from OHCHR and the Division for the Advancement of Women;

(d) If, at the following session, the State party has not responded, the Committee may schedule the examination of the situation of human rights of the State party for consideration in the absence of a report.

Notes

[a] See A/57/387, chap. II.B, paras. 55-57.

Annex II

Agenda of the fifteenth meeting of chairpersons

(Adopted on 23 June 2003)

1. Opening of the meeting and election of officers.
2. Adoption of the agenda.
3. Organizational and other matters.
4. Follow-up to the recommendations of the fourteenth meeting of chairpersons.
5. Review of recent developments relating to the work of the treaty bodies.
6. Status of the 2003 Annual Appeal of the Office of the United Nations High Commissioner for Human Rights and the 2002-2004 Programme to Support Human Rights Organs and Treaty Bodies.
7. Strengthening support to and enhancing the effectiveness of the treaty bodies.
8. National-level implementation of treaty body recommendations.
9. Cooperation with the Commission on Human Rights and the Subcommission on the Promotion and Protection of Human Rights.
10. Informal consultations with States.
11. Fifth joint meeting with the tenth meeting of special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights.
12. Joint meeting with the tenth meeting of special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights and the independent expert for the United Nations study on violence against children.
13. Adoption of the report and setting of dates for the sixteenth meeting of chairpersons.

Annex III

Agenda of the informal consultations between the fifteenth meeting of chairpersons of human rights treaty bodies and States parties

(Adopted on 26 June 2003)

Item 1. Strengthening of the human rights reporting system

(a) Secretary-General's ideas on streamlining human rights reporting;

(b) Other approaches, including an expanded core document and targeted periodic reports;

(c) Preparation of States parties' reports and the enhancement of human rights reporting at the national level;

(d) Measures to encourage reporting;

(e) Dialogue with States parties;

(f) Follow-up procedures to treaty body recommendations.

Item 2. Methods of work related to:

(a) Communications;

(b) Inquiries;

(c) Urgent action procedures.

Annex IV

Participants in the fifteenth meeting of chairpersons

A. Non-governmental organizations (meeting on 24 June 2003)

Antoine Madelin; Fédération internationale des ligues des droits de l'Homme (FIDH)

Loubna Freih; Human Rights Watch (HRW)

Rachel Brett; Quaker UN office

Tania Balowin-Pask; Amnesty International

Patricia Scannella; Amnesty International

Anna-Karin Holmlund; Amnesty International

Carla Covarrubias; Amnesty International

Edouard Delaplace; Association for the Prevention of Torture (APT)

Geneviève Jourdan; World Citizens

Catherine Ferry; Organisation mondiale contre la torture (OMCT)

Christophe Schmachtel; International Service for Human Rights (ISHR)

Rea Chiongson; International Women's Rights Action Watch (IWRAW Asia Pacific)

Hassiba Hadj Sahraoui; International Commission of Jurists (ICJ)

A. Flores; Anti-Racism Information Service (ARIS)

Carol Dolorier de Haller; ARIS

Atsuko Tanaka; International Movement Against all Forms of Discrimination and Racism (IMADR)

B. United Nations departments, specialized agencies, funds and programmes (meeting on 25 June 2003)

Asako Hattori; World Health Organization (WHO)

Aida Gevorgyan; WHO

Martin Oelz; International Labour Office

Lee Swepston; International Labour Office

Christoph Bierwirth; Office of the United Nations High Commissioner for Refugees (UNHCR)

Marie Heuzé; United Nations Information Service in Geneva (DPI)

Thierry Potvin; DPI

Yvonne Donders; United Nations Educational, Scientific and Cultural Organization (UNESCO)

Vladimir Volodin; UNESCO

Lesley Miller; United Nations Children's Fund (UNICEF)

Ana Angarita; United Nations Population Fund (UNFPA)

Miriam Maluwa; Joint United Nations Programme on HIV/AIDS (UNAIDS)

Gesa Kupfer; UNAIDS

C. States parties
(meeting on 26 June 2003)

Albania
Ms. Pranvera Goxhi, First Secretary

Australia
Mr. Mike Smith, Ambassador and Permanent Representative
Ms. Amanda Gorely, Counsellor and Deputy Permanent Representative

Austria
Ms. Elisabeth Ellison-Kramer, Counsellor

Barbados
Mr. Matthew Wilson, First Secretary

Belarus
Mr. Vladimir Malevich, Deputy Permanent Representative
Ms. Ina Vasileuskaya, First Secretary

Belgium
Mr. Leopold Merckx, Deputy Permanent Representative

Benin
Ms. Rosemonde Adjanonhoun, First Secretary

Bosnia and Herzegovina
Mr. Milos Vukasinovic, Ambassador and Permanent Representative

Brazil
Ms. Claudia Maciel, Second Secretary

Bulgaria
Mr. Dimitar Philipov, Deputy Permanent Representative

Canada
Ms. Deirdre Kent, First Secretary

Chile
Mr. Patricio Utreras, First Secretary

Colombia
Ms. Ana María Prieto Abad, Minister Counsellor

Costa Rica
Ms. Carmen Isabel Claramunt-Garro, Ambassador and Deputy Permanent Representative
Mr. Christian Guillermet-Fernandez, Minister Counsellor

Croatia
Branko Socanac, Minister Counsellor

Cuba
Mr. Jorge Ferrer, Counsellor

Cyprus
Ms. Helena Mina, Second Secretary

Czech Republic
Mr. Alexander Slabý, Ambassador and Permanent Representative
Mr. Lukás Machon, Third Secretary

Denmark
Ms. Eva Grambye, Second Secretary
Mr. Albert Birnbaum, Intern

Dominican Republic
Mr. Ysset Román Maldonado, Minister Counsellor

Egypt
Mr. Mohamed Loutfy, Third Secretary

Estonia
Ms. Kirke Kraav, Third Secretary

Finland
Mr. Erik af Hällström, First Secretary

France
Ms. Catherine Calothy, Counsellor

Georgia
Mr. Alexander Chikvaidze, Ambassador and Permanent Representative

Germany
Mr. Robert Dieter, First Secretary

Ghana
Mr. Sylvester Jude Parker-Allotey, Minister Counsellor and Deputy Permanent Representative

Greece
Mr. Takis Sarris, Deputy Permanent Representative
Ms. Eleni Petroula, Counsellor

Guatemala
Ms. Carla Rodriguez, Deputy Permanent Representative

Honduras
Ms. Gracibel Bu Figueroa, Counsellor

Hungary
Ms. Katalin Csima Szaloki, Second Secretary

India
Mr. Debabrata Saha, Deputy Permanent Representative
Mr. Anurag Srivastava, Third Secretary

Indonesia
Mr. Lasro Simbolon, First Secretary
Mr. Agung C. Sumirat, Third Secretary

Ireland
Mr. Brian Cahalane, First Secretary

Israel
Ms. Teizu Guluma, Adviser

Italy
Mr. Marco Conticelli, First Counsellor

Kazakhstan
Ms. Munira Artykbekova, First Secretary

Latvia
Ms. Kristine Malinovska, Counsellor
Mr. Johnny Ibrahim, First Secretary

Libyan Arab Jamahiriya
Mr. Murad Hamaima, Counsellor

Lithuania
Ms. Llona Petrikiene, Second Secretary

Luxembourg
Mr. Marc Godefroid, First Secretary

Madagascar
Ms. Clarah Andrianjaka, Counsellor

Mali
Mr. Sekou Kasse, First Counsellor

Mexico
Ms. Elía del Carmen Sosa Nishizaki, First Secretary

Morocco
Mr. Azzeddine Farhane, Counsellor

Nepal
Mr. Gopal Bahadur Thapa, Minister Counsellor

Netherlands
Mr. Henk Cor van der Kwast, Counsellor

Norway
Ms. Ingrid Sylow, Adviser, Ministry of Foreign Affairs

New Zealand
Ms. Jillian Dempster, First Secretary

Paraguay
Mr. Francisco Barreiro, First Secretary

Peru
Mr. Juan Pablo Vegas Torres, Counsellor

Portugal
Mr. Pedro Alves, Secretary

Romania
Mr. Cristian Badescu, Second Secretary

Serbia and Montenegro
Ms. Marina Ivanovic, Second Secretary

Slovakia
Ms. Barbara Illková, Counsellor and Deputy Permanent Representative

Spain
Mr. Marcos Gómez Martínez, Counsellor

Sri Lanka
Mr. Senarath Dissanayake, Second Secretary
Mr. Sugeeshwara Gunaratna, Second Secretary

Sweden
Mr. Magnus Andersson, First Secretary

Switzerland
Mr. Jean-Daniel Vigny, Minister

Thailand
Ms. Phantipha Iamsudha, First Secretary

Turkey
Ms. Özden Sav, Counsellor

Uruguay
Ms. Alejandra de Bellis, First Secretary

United Kingdom of Great Britain and Northern Ireland
Mr. Paul Bentall, Second Secretary
Mr. Bob Last, Counsellor

United States of America
Mr. Jeffrey De Laurentis, Counsellor
Mr. Joel Danies, First Secretary

Venezuela
Mr. Vladimir González, Second Secretary

Viet Nam
Mr. Nguyen Nang Tien, Counsellor

Zimbabwe
Mr. Felix Maonera, Counsellor